

# **EXHIBIT B**

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12 SOLUTIONS, LLC, SPURLING GROUP  
13 LLC, SPURLING GROUP II LLC, MICHAEL  
14 BROWN, and ANTHONY JACOBSON

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER

APR 30 2007

ALAN SLATER, Clerk of the Court.

*Alan Slater*  
BY: J. FRAUSTO

15 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
16 FOR THE COUNTY OF ORANGE

17 TONI Y. JONES, in her capacity as Investment  
18 Trustee for the HARRY L. JENKINS  
19 IRREVOCABLE INSURANCE TRUST,  
20 MARK ROSS & CO., INC., XE-R LLC,

21 Plaintiffs,

22 vs.

23 MUTUAL CREDIT CORPORATION,  
24 SPURLING GROUP LLC, MICHAEL  
25 BROWN, ANTHONY JACOBSON, and DOES  
26 1 through 100, inclusive,

27 Defendants.

28 MUTUAL CREDIT CORPORATION, SIERRA  
LIFE SOLUTIONS, LLC, SPURLING GROUP  
LLC, SPURLING GROUP II LLC,

Cross-Complainants,

vs.

MARK ROSS, MARK ROSS & CO., INC., XE-  
R, LLC, and ROES 1 through 10, inclusive,

Cross-Defendants.

CASE NO. 07CC01223

The Honorable Ronald L. Bauer

~~PROPOSED~~ PRELIMINARY  
INJUNCTION

Date: April 30, 2007

Time: 10:30 am

Dept: CX 103

**[PROPOSED] PRELIMINARY INJUNCTION**

On March 22, 2007, cross-complainants Mutual Credit Corporation ("MCC"), Sierra Life Solutions LLC ("Sierra Life"), Spurling Group LLC ("Spurling I"), and Spurling Group II LLC ("Spurling II") applied *ex parte* to this Court requesting an Order to Show Cause and a Temporary Restraining Order against cross-defendants Mark Ross and XE-R LLC. After careful consideration of the cross-complainants' likelihood of success and the weighing the likelihood of potential harms, this Court issued a temporary restraining order and scheduled a show cause hearing for April 16, 2007 as to why a preliminary injunction should not issue.

On April 3, 2007, the cross-defendants' requested an extension of the temporary restraining order and the preliminary injunction hearing, which was granted by this Court.

On April 6, 2007, the cross-defendants and the cross-complainants stipulated to a further extension of the temporary restraining order and the preliminary injunction hearing. Again, this Court granted the request.

With the restraining order twice extended, the parties conducted expedited discovery in preparation for the preliminary injunction hearing which, by stipulation of the parties, was rescheduled for April 30, 2007. The cross-defendants filed with this Court a large volume of papers in an effort to show cause why a preliminary injunction should not issue. The cross-complainants replied in support of their request for a preliminary injunction. Both parties appeared with counsel before this Court on April 30, 2007 and extensive arguments were heard regarding the preliminary injunction.

The Court, being fully advised after reading the cross-complainants' cross-complaint, *ex parte* applications, memoranda of law, declarations, and supporting materials, and after reading the cross-defendants' submission in opposition to the order to show cause re preliminary injunction, as well as the cross-defendants' declarations and other supporting materials, and after hearing extensive arguments from the cross-complainants and cross-defendants at the preliminary injunction hearing on April 30, 2007, finds that preservation of the status quo pending a trial on the merits is appropriate and that sufficient grounds exist for the requested preliminary injunction because it is reasonably probable that the cross-complainants will prevail on the merits of their claims against the cross-defendants and, after carefully balancing the equities, the potential harm to the cross-complainants heavily outweighs

1 any potential harm to the cross-defendants or third parties.

2 The Court thus GRANTS the relief requested by the cross-complainants until the conclusion of  
3 the trial on the cross-claims and thus ORDERS as a preliminary injunction as follows:

4 Mark Ross and XE-R LLC, their directors and officers, agents, servants, employees, and all  
5 other persons acting in concert or in participation with them shall refrain until the conclusion  
6 of the trial on the cross-complainants' cross claims:

7 ~~(i) from reducing the value of the assets in the Spurling I and Spurling II portfolios~~  
8 ~~(the non-recourse promissory notes originated by MCC or the related life insurance policies) by~~  
9 ~~making negative comments to life insurance carriers, existing insureds/borrowers of MCC, their~~  
10 ~~representatives and agents, insurance industry groups, and the press about the structure, legality,~~  
11 ~~enforceability, tax treatment, and contingent interest valuation of these notes or related policies. This~~  
12 ~~provision of the injunction does not apply to comments made in court filings and on the record in this~~  
13 ~~law suit.~~

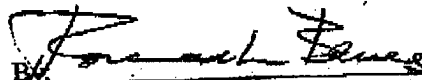
14 (ii) except as required by subpoena or similar judicial process, from using or  
15 disclosing the following confidential information obtained from the cross-complainants: information  
16 regarding customers (such as medical, life expectancy, or policy information), life insurance carriers,  
17 life settlement providers, clients, agents, brokers, or the specifics (e.g., structure, value, terms, or  
18 administration) of any loan or life insurance agreement in the Spurling I or Spurling II Portfolios;

19 (iii) from entering into agreements, understandings, or arrangements directly or  
20 indirectly with the insured/borrowers, and/or their trustees, beneficiaries, representatives and agents,  
21 adverse to the interests of MCC, Spurling I, or Spurling II in the assets in the Spurling I and Spurling II  
22 portfolios. This provision of the injunction does not apply to any existing agreements with the  
23 individuals and their related life insurance trusts referred to in the April 18, 2007 declaration of Phillip  
24 S. Hill III, paragraph 10, line 22: Harry Jenkins, Donald Kuelzo, and Martin Bregman.

25 The cross-complainants are to give notice of this order upon cross-defendants and within three  
26 days post a bond in the amount of \$25,000.

27 \$100,000

28 April 30, 2007

By:   
THE HONORABLE RONALD L. BAUER  
JUDGE OF THE SUPERIOR COURT